



# IOWA UNDERGROUND STORAGE TANK FUND

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August 2, 2021

## **MEMORANDUM**

TO: Legislative Council and Legislative Services Agency

FROM: James R. Gastineau, Administrator  
Iowa Comprehensive Petroleum Underground Storage Tank Fund

RE: Fiscal Year 2021, 4<sup>th</sup> Quarter Report on the Iowa Comprehensive Petroleum Underground Storage Tank Fund Program

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We are pleased to provide the attached report regarding the Iowa Comprehensive Petroleum Underground Storage Tank Fund (UST Fund) progress for activities through the end of the 4<sup>th</sup> quarter of Fiscal Year 2021.

The report is submitted pursuant to Iowa Code Section 455G.4(6) titled "Reporting". The code section calls for the report to include the following items:

- Total open claims, including identification of the number of new claims
- IDNR risk classification associated with open claims
- Total reserve figures
- Summary of budgets approved during the reporting period
- Breakdown of categories of claim payment expenditures during the reporting period

Some information in the attached table is obtained from the Iowa Department of Natural Resources (DNR), but the report numbers deal with UST Fund claims and therefore do not include all DNR reported releases since not all meet the eligibility criteria of Iowa Code Section 455G.

If you have any questions regarding the enclosed report or other issues associated the UST Fund, please call the UST Fund Administrator's office at (515) 725-8450 or contact the Administrator at [USTFUND@dnr.iowa.gov](mailto:USTFUND@dnr.iowa.gov)

## UST Fund Program Status Areas 4QFY2021 (June 30, 2021)

### 1. Financial Balances

	06/30/2021	06/30/2020	06/30/2019	06/30/2018	6/30/2017
Revenue Fund	\$3,951,754	\$5,432,811	\$5,328,873	\$5,222,601	\$8,619,353
Unassigned Revenue Fund	\$1,585,786	\$2,539,840	\$3,382,142	\$3,633,898	\$5,445,127
Remedial Fund	\$2,707,740	\$2,546,803	\$4,043,862	\$5,966,703	\$16,159,378
Marketability Fund	\$278,250	\$268,937	\$210,079	\$941,612	\$878,021
Innocent Landowner Fund	\$2,571,254	\$2,498,227	\$2,913,651	\$2,764,684	\$5,647,461
Loan Guarantee Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Reserve Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Fund Balances</b>	<b>↓\$11,094,764</b>	<b>↓\$13,286,618</b>	<b>↓\$15,878,605</b>	<b>↓\$18,529,498</b>	<b>↓\$36,749,341</b>

Previous Transfers  
 FY2009--\$4.9 million  
 FY2011--\$26.4 million  
 FY2012--\$3 million

Claims Paid  
 \$1.8 million FY 2019  
 \$2.2 million FY 2020  
 \$1.7 million FY 2021

### 2. Operational

#### Changes

- Program administration managed under 28E agreement by the Iowa Department of Natural Resources
- Program funding ceased 12/31/2016 (2016 legislation, HF2464).
- Transfer of 199 liability claims completed 10/2017 with payment of \$13.1M
- Focus on mission to complete action on remaining liability claims prior to ceasing operations.
- Coordinate with Department of Natural Resources to address liabilities on all remaining claims

#### Expected Results

- Retirement of program liabilities and reduction of future liabilities.
- Reduction of fund balance and number of Program claims.

### 3. Results - Iowa DNR LUST Sites / Risk Classifications in relation to Open UST Fund claims

Iowa DNR / Iowa UST Site Data (as of 06/30/2021)	DNR LUST Sites	Remedial CRP/NFA claims	Retroactive claims	Innocent Landowner Fund Claims	Total UST Fund Claims
Total Active LUST Sites / Fund Claims	<b>358</b>	<b>48</b>	<b>1</b>	<b>21</b>	<b>70</b>
Sites "Not Classified"	51	6	0	0	6
Low Risk sites	79	11	0	6	17
High Risk sites	207	26	1	12	39
No Action with free product sites	21	2	0	1	3
No Action Required or other sites	6,440	3	0	2	5

### 4. Results - UST Fund Open Claims / Liabilities

	Liabilities (as of 06/30/2021)	June 2021	June 2020	June 2019	June 2018	June 2017
Retroactive Claims	\$ 0.08 million	1	2	3	4	14
Remedial/CRP/ NFA Claims	\$ 2.24 million	48	50	68	78	268
Innocent Landowner Fund Claims	\$ 1.77 million	21	23	32	34	68
<b>Total*</b>	<b>\$ 4.09 million</b>	<b>70</b>	<b>75</b>	<b>104</b>	<b>116</b>	<b>350</b>
Claim Liabilities *		\$4.09M	\$5.05M	\$5.83M	\$6.79M	\$17.5M

\*does not include special project claims or tank closure claims

IOWA UST FUND  
ACTIVITIES REPORT  
JUNE 30, 2021

	Open Claims		Open Claims	Open & Closed
Claims	May Ending	Monthly Changes	June Ending	Totals since
<b>RETROACTIVE</b>				
number	1	0	1	447
reserve	\$ 80,548.91	\$0.00	\$ 80,548.91	\$ 80,548.91
paid	\$ 719,451.09	\$0.00	\$ 719,451.09	\$ 18,439,077.46
total	\$800,000.00	\$0.00	\$800,000.00	\$18,519,626.37
<b>REMEDIAL</b>				
number	30	(3)	27	4,464
reserve	\$ 1,660,546.41	(\$133,980.03)	\$ 1,526,566.38	\$ 1,526,566.38
paid	\$ 8,756,924.45	(\$804,519.97)	\$ 7,952,404.48	\$ 224,180,997.51
total	\$10,417,470.86	(\$938,500.00)	\$9,478,970.86	\$225,707,563.89
<b>INNOCENT LANDOWNER</b>				
number	22	(1)	21	1,159
reserve	\$ 1,941,296.34	(\$212,441.60)	\$ 1,728,854.74	\$ 1,728,854.74
paid	\$ 3,174,304.66	\$5,889.50	\$ 3,180,194.16	\$ 36,749,334.36
total	\$5,115,601.00	(\$206,552.10)	\$4,909,048.90	\$38,478,189.10
<b>GLOBAL OPT-IN</b>				
number	7	(1)	6	1,313
reserve	\$ 39,373.56	(\$2,836.32)	\$ 36,537.24	\$ 36,537.24
paid	\$ 58,626.44	(\$11,163.68)	\$ 47,462.76	\$ 9,991,583.39
total	\$98,000.00	(\$14,000.00)	\$84,000.00	\$10,028,120.63
<b>UNASSIGNED REVENUE FUND PROJECTS</b>				
number	40	0	40	397
reserve	\$ 776,649.21	(\$13,739.16)	\$ 762,910.05	\$ 762,910.05
paid	\$ 541,635.79	\$1,740.16	\$ 543,375.95	\$ 4,637,492.84
total	\$1,318,285.00	(\$11,999.00)	\$1,306,286.00	\$5,400,402.89
<b>NFA RE-EVALUATIONS</b>				
number	21	0	21	97
reserve	\$ 717,598.75	\$0.00	\$ 717,598.75	\$ 717,598.75
paid	\$ 1,092,701.25	\$0.00	\$ 1,092,701.25	\$ 2,438,587.02
total	\$1,810,300.00	\$0.00	\$1,810,300.00	\$3,156,185.77
<b>TANK CLOSURE</b>				
number	32	5	37	803
reserve	\$368,855.25	\$54,001.00	\$422,856.25	\$ 422,856.25
paid	\$27,373.25	\$0.50	\$27,373.75	\$ 9,453,606.16
total	\$396,228.50	\$54,001.50	\$450,230.00	\$9,876,462.41

<b>Total Claims</b>	(RT, RM, ILO, (USTCA, TX)	<b>70</b>	<b>77</b>
Reserves	(RT, RM, ILO, GS, NF	\$ 4,090,106.02	\$ 1,185,766.30
Total Reserves	(all claim types)	\$ 5,275,872.32	

<b>Operator</b>			
A/B (all)	3,737	A/B (FY2011-21)	\$364,320

<b>RT</b>	<b>#</b>
New	0
Reopene	0
Closed	0
<b>RM</b>	<b>#</b>
New	0
Reopene	0
Closed	3
<b>ILO</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>GS</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>USTCA</b>	<b>#</b>
New	1
Reopene	0
Closed	1
<b>NFA Re-</b>	<b>#</b>
New	0
Reopene	0
Closed	0
<b>Tank Pull</b>	<b>#</b>
New	6
Reopene	0
Closed	1
<b>DNR: 06-30-2021</b>	
Total	6798
High Risk	207
Low Risk	79
NAR-FP	21
Not	51
Open	358

Invoice Type	June'21	FYTD	Program to
Appropriations	\$ 16,739.39	\$ 406,184.28	
Government.	\$ 3,926.88	\$ 127,945.07	
2004 Tank Pull	\$ -	\$ -	\$1,761,823.44
2010 Tank Pull	\$ -	\$ 444,500.40	\$9,733,576.31
American Soils	\$ -	\$ -	\$5,678,422.58
AST	\$ -	\$ -	\$11,217,932.11
CADR Charges	\$ -	\$ -	\$4,708,703.72
Corrective Action	\$ 4,252.00	\$ 205,631.11	\$52,991,994.82
Expenses / OT	\$ 300.00	\$ 9,300.00	\$ 364,619.65
Free Prod Recover	\$ 2,560.16	\$ 79,008.55	\$ 12,884,085.61
Monitoring	\$ 12,992.50	\$ 222,711.52	\$ 35,340,728.68
Operations/Maint	\$ -	\$ 4,689.75	\$ 10,847,837.80
Over-excavation	\$ -	\$ 366,095.24	\$ 37,410,813.51
Water Lines	\$ -	\$ 149,425.34	\$ 3,635,317.80
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ -	\$ 110,579.35	\$ 27,714,350.67
Remed Imp/Const.	\$ -	\$ -	\$ 32,655,420.50
SCR Charges	\$ -	\$ -	\$ 54,217,410.26
Site Check	\$ -	\$ -	\$ 142,486.32
Soil Disposal	\$ -	\$ -	\$ 738,386.66
Tank (UST) Pull	\$ -	\$ -	\$ 3,979,734.25
Tank (UST) Upgrade	\$ -	\$ -	\$ 3,440,849.83
Tier III	\$ -	\$ 8,490.00	\$ 1,455,607.07
Utilities	\$ -	\$ 115.83	\$ 2,303,397.67
Well Closure	\$ 7,789.95	\$ 44,399.53	\$ 4,552,802.46
Total Invoice Types	\$ 27,894.61	\$ 1,644,946.62	\$317,084,863.96

<b>Remediation Budgets Approved to Date</b>		
Last month (June'21)	0	\$0
Trailing 12 mos	2	\$282,009
Prev Trail 12 mos	5	\$203,571
Total Since Jan 2003	1,279	\$57,485,688

Project Contracts	Open	Closed	Pending
CRP's	0	45	0
Tank Closure	2	7	0
Plastic Water Line	0	2	0

	2021 (YTD)	2020	2019
<b>New LUST Sites</b>	12	34	29
<b>Closed (NAR) Sites</b>	41	74	82